New Court Room Check List

Initially, there are three, key weak points, in the state's process against you that may be challenged.  
If you should receive a ticket, complaint, or summons, and you do not attend or present yourself at the appointed time, expected to give an answer or response, a warrant will issue.

1. Your name.   
2. The charge  
3. The Plea

1. Your name  
You will be asked for your name. You will be asked to identify, and bear witness or testify to yourself, so that no witness is needed as would normally be required at the common law.

You have a name, which you own, it does not own you. Additionally, many people have the same name, and immediately there is the issue of mistaken identity to consider, particularly, as agencies of government, engaging in copy write infringement, identity theft and fraud, have without your knowledge or consent created a business front, a corporation, in your name, in order to take out loans from international bankers in your name, and charge or hold you accountable for the associated debts, responsibilities and obligations. You might even be enlisted or commissioned as a government contractor, or elected to public office without your knowledge, and if you have a birth certificate and social security card, you are presumed a U.S. Citizen, who, as opposed to a state citizen, is defined as a corporate federal officer, and a subordinate to your public servants.

“Federal citizenship is a municipal franchise domiciled in the District of Columbia, and the political rights of federal citizens are franchises which they hold as privileges at the legislative discretion of Congress.” (Murphy v. Ramsey, 114 U.S. 15 (1885)). A "Citizen" is a member of a political community who, has submitted themselves to the dominion of a government'. In re Mcintosh, D.C. Wash., 12 f. Supp. 177

Before identifying or associating you with the person named in the complaint, indictment or information, insist the Judge clarify which individual or entity retaining that name he is asking for or seeks, with respect to the proceedings – a state or U.S. citizen, private, public, natural or corporate person?

He will insist he doesn’t answer questions, and is not permitted to give legal advice. He is, however, required to protect your right to due process and fair notice from the prosecutor or plaintiff of this same information you require and demand. Ask him if he is not.

Option :  
Ask the judge for his name first, simply stating that you are appearing specially with respect this matter, and that you missed the introduction, and could he please identify himself, the scope and limitations of his authority, the Type of court, whether of limited or general jurisdiction, a court of the original free and independent state, or of a federally financed and funded franchise state within a state, and notice from the prosecution whether the proceedings are original or special, at the common, or civil law, pursuant to your right to know and the requirement a public servant identify himself before he can proceed, and before you can be required to volunteer anything more.

2. The Reading of the Charge and Service of Process.

Only a proper affidavit and complaint can support or warrant the issuance of an indictment or information. The Indictment or information, supported by affidavit, must include a Jurisdictional statement, further citing law, and an allegation of proposed facts, to provide and establish proper and required notice of nature and cause, also called jurisdiction, stating standing and a valid claim upon which relief may be granted.

The charge will be read after you are asked for your name and your identity is confirmed as associated with the case. The formal reading of the charge properly follows your being served, referred to as 'service of process,' with the proper originating documents or charging papers, which must, although they routinely do not, include certain elements, which if omitted would render the process and notice deficient, also called deprivation of due process and of fair notice of nature and cause. The elements of jurisdiction, the proper notice of which you seek, are as follows:

a). There must be an Affidavit of superior officer, or a contract for performance of duty at the civil law, or,

b) a complaining witness, injured or damaged real party of interest, at the common law. The affidavit is also referred to as the originating complaint, which is required for an information or criminal Indictment to issue.

c). Alternatively, infractions of code, code of conduct for public or civil service workers, or a violation of statute, also called a commercial statutory obligation, are penal in nature, and can be asserted, advanced, or predicated, only upon a contract for performance of official public duties and responsibilities, and may be brought by a superior officer against a subordinate or trustee.

Q: Are you charged with committing a crime (mala in se), dereliction of duty (mala prohibita), or violating the terms of a contract? Is the claim, complaint, or charge brought by a a public servant, member of the public to whom you owe a duty, or a superior officer for dereliction of duty?

In all likelihood, you will be viewed as a subordinate, and a trustee, by the Judge, the attorney for the state, and the officer, where no contract for performance of statutory commercial duties or obligations exist, or has been submitted into the record as would be required at the civil law, there being some attempt to reverse the roles and protections of law due to you, the judge and prosecutor skirting their responsibilities as a public servant, presuming you to be a subordinate, perhaps a federal officer (U.S. Citizen), government contractor, agent, representative, or employee.

Perhaps, you will be viewed, not as a self-governing free and independent agent, but as someone, involved in a limited liability partnership acting in a representative capacity?

At the civil law, for officers of government or of corporations licensed by government, there must be a contract for performance of official duties on which to predicate an infraction or violation of terms and conditions of a contract, or you must be enlisted, elected or appointed accepting a commission, as a government employee who has violated policy or code of conduct you have agreed to follow. Otherwise you are bound only by the law of nature, do no harm, injury, or damage, to the life, liberty, or property of another

Whereas the law of nature (the common law) is binding upon all, manmade laws (the civil law) is binding only upon those who have joined a union regulated by statute, or otherwise accepted a commission to operate in an official representative capacity.

3. The Plea.   
If you refuse to plead, the court is permitted to enter a plea of not guilty for you. You do not want to refuse to plea, or enter a not guilty plea. A not guilty plea constitutes an answer or response, which presumes or admits that if the allegations are true, you are accountable.

You cannot make an informed plea if you have not been provided sufficient notice of nature and cause or service of process, that otherwise would inform you of the nature and cause for the charges, claim, or complaint, where process is deficient.

Notice of nature, requires notice of a specific provision of law you are accused of violating, the cause, requires proof that the law applies to you, your class of person, and citizenship status in law.

The charge is read. Do you understand it? No.

Attack the charge by asking (Go back to step two) for better notice and documentation, whether these are general, or special proceedings, advanced and maintained according to civil, or common law, before he even reads the charge.

Avoid and delay your answer, seeking clarification. Ask him to get a dictionary and define each word and term, and the location of the law.

The Judge will insist, you may plead Guilty, Not Guilty, or No Contest: He will not advise you about alternative Pleas.

There are alternative pleas, called peremptory pleas, which may be made, a whole list of them. If you don’t make one of those, the judge will enter one you do not like, and you will have a hard time getting out of it.

[http://en.wikipedia.org/wiki/Peremptory\_plea](http://l.facebook.com/l.php?u=http%3A%2F%2Fen.wikipedia.org%2Fwiki%2FPeremptory_plea&h=WAQEVZ9_F&enc=AZOHPLB_AZw2z6paTNmkgVf_f_76gU4cbKC4whdlGoiopRK8AdcqFcK7UzCGS4_3f1vXKhuWnLr7r2nJ6_9Afdwb07yeZ5DJU1WbLQMojGQgTLQYRCijQ-zUm68WsaOV6Q7Fbvma9vYbso60knX8wTOwHKLrkCYpV2okJ3Nz5ertIQ&s=1)

You may Offer to plead guilty, as opposed to pleading not guilty, pending proper notice and proof of claim, which includes fair and proper notice of nature and cause (go back to step two).

Let me rephrase this...

"I would like to plead guilty, if I can just verify the terms of the contract for performance at the civil law, or review the statement of injuries and damages at the common law, so that I can make that guilty plea knowingly and intentionally."

Before the court can except or enter any plea, the prosecution, once challenged to provide sufficient notice of nature and cause, which would include a jurisdictional statement, must provide the required information requested before the court is permitted to proceed or you can reasonably be required to make an informed plea. Jurisdiction must be challenged before pleading, and once challenged the court is not permitted to proceed or assist the prosecution in establishing jurisdiction.

Top of Form

Bottom of Form